

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

Norman L. Sirak, Trustee

Case No. 5:07-cv-2244

Judge Christopher A. Boyko

Plaintiff

vs.

JP Morgan Chase & Co.

NOTICE OF DISMISSAL
WITHOUT PREJUDICE

Defendant

Now comes Plaintiff, Norman L. Sirak [hereafter *Plaintiff*], acting by and through Counsel, and pursuant to Federal Rules of Civil Procedure 41(a) [hereafter *Rule 41(a)*], titled *Voluntary Dismissal*, hereby files a Notice of Dismissal Without Prejudice. Rule 41(a) states in relevant part:

(a) Voluntary Dismissal : Effect Thereof. By Plaintiff, By Stipulation. Subject to the provisions of Rule 23(e), of Rule 66, and of any statute of the United States, an action may be dismissed by the plaintiff without order of court (i) by filing a notice of dismissal at any time before service by the adverse party of an answer or a motion for summary judgment, whichever occurs first..."

It is so ordered.

Christopher A. Boyko ¹

Judge Christopher A. Boyko
United States District Court

FILED

JAN 16 2008

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
CLEVELAND